

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

STATE OF DELAWARE,
DEPARTMENT OF NATURAL
RESOURCES & ENVIRONMENTAL
CONTROL,

Plaintiff,

and

Case No.: 18-838-MN-JLH

GARY and ANNA-MARIE CUPPELS,

Plaintiffs-Intervenors,

V.

MOUNTAIRE FARMS OF DELAWARE,
INC., a Delaware Corporation,

Defendant.

MOTION FOR ENTRY OF FIRST AMENDED CONSENT DECREE

Plaintiff, State of Delaware, Department of Natural Resources and Environmental Control (“DNREC”), through undersigned counsel, hereby moves this Honorable Court for an order entering the First Amended Consent Decree, which was lodged on May 29, 2020 [D.I. 92,94], as a consent decree on the grounds set forth in the accompanying Opening Brief in Support of Plaintiff’s Motion to Entry of the First Amended Consent Decree.

**Signature on following page*

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Devera B. Scott

Devera B. Scott, I.D. No. 4756
Deputy Attorney General
102 W. Water Street, 3d Floor
Dover, DE 19904
(302) 257-3218
Devera.Scott@Delaware.gov

William J. Kassab, I.D. No. 5914
Deputy Attorney General
391 Lukens Drive
New Castle, DE 19720
(302) 395-2604
William.Kassab@Delaware.gov

*Attorneys for Plaintiff, State of Delaware,
Department of Natural Resources & Environmental
Control*

Dated: August 21, 2020

CERTIFICATE OF MAILING AND/OR DELIVERY

The undersigned certifies that on August 21, 2020, she caused this *Motion for Entry of First Amended Consent Decree* to be electronically filed via CM/ECF, which will send notification to counsel of record.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Devera B. Scott

Devera B. Scott, I.D. No. 4756

*Attorney for Plaintiff, State of Delaware,
Department of Natural Resources &
Environmental Control*